

02/05/02



11003 U.S. PTO



33262US2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce B. Randolph, Richard L. Anderson and Robert B. Eldridge

Prior Application: 08/448,697

Examiner: N. Nguyen

Group Art Unit: 1103

For: TRANSPORTATION OF HYDROGEN FLUORIDE

REQUEST UNDER 37.C.F.R. 1.53(b)
FOR FILING DIVISIONAL APPLICATION

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of application Serial No. 08/448,697 filed on May 24, 1995, for TRANSPORTATION OF HYDROGEN FLUORIDE.

1. Enclosed are true copies of the prior application and the declarations as originally filed. This application contains 2 sheets of drawings.

Please amend this application as indicated in the attached PRELIMINARY AMENDMENT.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELLED BY THE PRELIMINARY AMENDMENT				
For	Number Filed	Number Extra	Rate	Basic Fee \$ 740.00
Total Claims	81-20	61	X \$18.00	\$1098.00
Independent Claims	6-3	3	X \$84.00	252.00
Multiple Dependent Claims	0	0	X \$280.00	\$ 000.00
TOTAL FILING FEE				\$2090.00

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3. Please charge Deposit Account 16-1575 in the amount of the total filing fee stated above. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.16 or 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account 16-1575, but is not authorized to charge any fee provided for under 37 C.F.R. 1.18.

4. The prior application is assigned of record to Phillips Petroleum Company, Bartlesville, Oklahoma, by an Assignment filed in the United States Patent and Trademark Office on May 24, 1995, and recorded on reel 7516, frame 0841.

5. The power of attorney in the prior application is to Richmond, Phillips, Hitchcock, & Fish, Registration No. 20,286, P.O. Box 2443, Bartlesville, Oklahoma 74005.

a. The power appears in the original papers in the prior application.

b. All future communications are to be addressed to Richmond, Hitchcock, Fish & Dollar, P.O. Box 2443, Bartlesville, Oklahoma 74005.

6. The art of record in the prior application Serial No. 08/448,697 is drawn to the Examiner's attention. The art does not in the opinion of the undersigned anticipate this invention or render this invention obvious to one of ordinary skill in the art.

7. I hereby certify that the attached papers are true copies of the prior application Serial No. 08/448,697 as originally filed May 24, 1995.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

RICHMOND, HITCHCOCK,
FISH & DOLLAR

By Jeffrey R. Anderson
Jeffrey R. Anderson
Registration No. 42,263

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RICHMOND, HITCHCOCK,
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1-918-661-9607

C E R T I F I C A T E O F M A I L I N G

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

January 11, 2002
(Date)

Jeffrey R. Anderson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce B. Randolph, Richard L. Anderson and
Robert B. Eldridge

Serial No.: 08/448,697

Group Art Unit: 1103

Filed: May 24, 1995

Examiner: N. Nguyen

For: **TRANSPORTATION OF HYDROGEN FLUORIDE**

LETTER

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

Attached hereto for filing in the United States Patent and Trademark Office is
a Terminal Disclaimer.

Authorization is hereby granted to charge Deposit Account 16-1575 in the
appropriate amount under 37 C.F.R. 1.20 (d) for the attached Terminal Disclaimer. The
Commissioner is hereby authorized to charge any additional fees which may be

required under 37 C.F.R.1.16, 37 C.F.R. 1.17 and C.F.R. 1.18, or credit any
overpayment to Deposit Account 16-1575.

Respectfully submitted

RICHMOND, HITCHCOCK,
FISH & DOLLAR

By Jeffrey R. Anderson
Jeffrey R. Anderson
Registration No. 42,263

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January 11, 2002

(Date)

Jeffrey R. Anderson
Jeffrey R. Anderson



PTO/SB/63 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO ACCOMPANY PETITION

Docket Number (Optional)

In re Application of: Bruce B. Randolph, Richard L. Anderson and
Name: Robert B. Eldridge
Application Number: 08/448,697
Filed: May 24, 1995
For: TRANSPORTATION OF HYDROGEN FLUORIDE

The owner, Phillips Petroleum Co. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney or agent of record.

Allen W. Richmond
Signature

Jan 8, 2002
Date

Allen W. Richmond

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.





33262US1
Serial No. 08/448,697



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bruce B. Randolph, Richard L. Anderson and Robert B. Eldridge

Serial No.: 08/448,697

Group Art Unit: 1103

Filed: May 24, 1995

Examiner: N. Nguyen

For: **TRANSPORTATION OF HYDROGEN FLUORIDE**

PETITION UNDER 37 C.F.R. § 1.137(b)

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.137(b), applicants petition the Commissioner to revive the above-identified application. The above-identified application was abandoned on October 23, 2001 because of failure to timely file a divisional application under 37 C.F.R. § 1.53(b) claiming the benefit of the above-identified application or to timely file an appeal of the Board Decision with the Court of Appeals for the Federal Circuit within two (2) months of the Board Decision on August 23, 2001.

This Petition is accompanied by:

(1) Petition Fee

This Petition is accompanied by the fee for revival of an unintentionally abandoned application under 37 C.F.R. § 1.17 (m).

(2) Reply

This Petition is accompanied by a 1.53(b) Divisional Application.

(3) Terminal Disclaimer with disclaimer fee. A terminal disclaimer (and disclaimer fee under 37 C.F.R.1.20 (d)) disclaiming the required period of time is enclosed herewith.

(4) Statement.

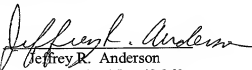
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

The undersigned, Jeffrey R. Anderson, certifies that the delay in filing the Divisional Application was inadvertent and wholly unintentional. The attorney who had been prosecuting the above-identified application left Phillips Petroleum Company to work for another company several months prior to receipt of the Board's Decision on Appeal.

Respectfully submitted

RICHMOND, HITCHCOCK,
FISH & DOLLAR

By


Jeffrey R. Anderson
Registration No. 42,263

JRA/cb
RICHMOND, HITCHCOCK,
FISH & DOLLAR
P.O. Box 2443
Bartlesville, Oklahoma 74005
1-918-661-9607

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

January 14, 2002

(Date)


Jeffrey R. Anderson